THE HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION No.15094 of 1996

Dated : 03.08.2007

Between:

D.Pothaiah S/o Siddappa and others.

..... PETITIONERS

And:

Sub-Collector, Chandragiri at Tirupati and another.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION No.15094 of 1996

ORDER:

Petitioners claim to be owners of the land in Sy.Nos.262/1,262/2, 262/7, and 262/8, admeasuring Ac.0.36 cents, Ac.1.40 cents, Ac.1.30 cents and Ac.1.70 cents, respectively. Originally, the husband of Rachapalli Lakshmamma was granted a patta in respect of the said land and after his death, his wife Lakshmamma inherited the same. The said Lakshmamma sold the said land in favour of the petitioners under registered sale deed dated 04.05.1958. Now their grievance is that on 24.07.1996, the second respondent came to their land and asked the petitioners to vacate the said land on the ground that it is kunta poramboke. Hence, petitioners made a representation dated 26.07.1996 to the respondents, but in vain. Therefore, as there was threat of dispossession, petitioners filed this writ petition.

Having heard both the counsel, this Court is of the view that only on mere apprehension this writ petition is filed. However, as the petitioners allege that respondents are trying to dispossess them without following due process of law, respondents are hereby directed not to evict the petitioners without following due process under law.

Accordingly, the writ petition is disposed of. There shall be no order as to costs.

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03.08.2007

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